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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/839,066	04/20/2001	Sanjiv Maurya	35451/108 (3569.Palm)	2379

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EXAMINER
NGUYEN, TRONG NHAN P

ART UNIT	PAPER NUMBER
2152	

DATE MAILED: 08/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
Office Action Summary		09/839,066	MAURYA ET AL.
		Examiner	Art Unit	
		Jack P Nguyen	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04/20/01*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *30-51* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☒ Claim(s) *1-29* are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-51 are being examined.

Election/Restrictions

2.   Restriction to one of the following inventions is required under 35 U.S.C. 121:

I.   Group 1: Claims 1-26 are drawn to a method for converting content received from content server at the converting server for a handheld wireless device 709, subclass 246.

II.   Group 2: Claims 27-29 are drawn to a method for accessing and receiving content from a server by a handheld wireless device in class 709, subclass 203.

III.   Group 3: Claims 30-51 are drawn to a method for accessing and receiving content from remote, interconnected servers by a handheld wireless device in class 709, subclass 219.

3.   Inventions I, II and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. Invention I has a separate utility such as in a system lacking accessing and receiving content from a server by a handheld wireless device and accessing and receiving content from remote, interconnected servers by a

handheld wireless device. Invention II has a separate utility such as in a system lacking

for accessing and receiving content from remote, interconnected servers by a handheld

wireless device. See MPEP § 806.05(d).

4.   These inventions are distinct for the reasons given above, and the search

required for each Group is different and not co-extensive for examination purpose. For

example, the searches for the two inventions would not be co-extensive because these

groups would require different searches on PTO's classification class and subclass as

following:

(a) Group I search (claims 1-26) would require use of search **Class 709,
subclass 246.**

(b) Group II search (claims 27-29) would require use of search **Class 709,
subclass 203**.

(b) Group III search (claims 30-51) would require use of search **Class 709,
subclass 219.**

5.   A telephone call was made to Mr. Alistair Chan, the applicant's representative, on

August 2, 2004 to address a possibility of restriction requirement. The applicant chose

an election of Group III, which is, claims 30-51, without traverse.

6.   Applicant is reminded that upon the cancellation of claims to a non-elected

invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one

or more of the currently named inventors is no longer an inventor of at least one claim

remaining in the application. Any amendment of inventorship must be accompanied by

a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

7.   Claims 1-29 are withdrawn from consideration.

8.   Claims 30-51 are now presented for examination.

Claim Rejections - 35 USC § 102

9.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10.   Claims 30-51 are rejected under 35 U.S.C. 102(e) as being anticipated by

Kanevsky, 6,300,947, (hereafter Kanevsky).

11.   As per claims 30, Kanevsky teaches a system configured for a handheld

computer to access content, comprising: a handheld computer (fig. 1, element 113d,

col. 4, lines 55 – col. 5, lines 19);

a first server in communication with the handheld computer (F1, E104, C4, L55 – C5,

L19. *The first server receives requests from the handheld device and sends converted*

data back to the handheld device);

a second server in communication with the first server (F1, E107, C4, L55 – C5, L4; *The*

second server houses the converting engine (Web Page Adapter Server – WPAS) and

processes data originated from the content servers into formats that can be displayed

by the handheld device.)

a third server in communication with the first server and with the second server and the

third server being a source for content requested by the handheld computer (F1, E105,

E106, E114, C4, L55 – C5, L4. *The handheld device sends requests and receives data*

originated from the content servers for display. All servers serve their particular

functions on the network and are in communication with each other to provide

subscribed services to the client);

a server program running on the second server and the server program configured to

format the content into a form for delivery to a handheld computer (F1, E107, C7, L10-

41. *The WPAS processes and converts data originated from the content servers into*

formats that can be displayed by the handheld wireless device); and

a handheld program running on the handheld computer and configured to receive the

formatted content from the first server and provide access to the content by a user using

the handheld computer (F1, E101, C4, L55-67. *The web browser software of the handheld device receives and displays converted content data from the WPAS for the user.*)

12.   As per claim 31, Kanevsky teaches the system of claim 30, wherein the first server is configured to receive a request for content from the handheld computer (F1, C4, L55 – C5, L19. *See paragraph 11 for more details.*)

13.   As per claim 32, Kanevsky teaches the system of claim 30, wherein the handheld computer is in wireless communication with the first server (F1, C4, L55 – C5, L19. *See paragraph 11 for more details.*)

14.   As per claim 33, Kanevsky teaches the system of claim 31, wherein the first server is configured to retrieve the content from the third server (F1, C7, L10-41. *See paragraph 11 for more details.*)

15.   As per claim 34, Kanevsky teaches the system of claim 33, wherein the first server is configured to provide the content to the second server (F1, C7, L10-41. *See paragraph 11 for more details.*)

16.   As per claim 35, Kanevsky teaches the system of claim 34, wherein the second server is configured to convert the content to a converted format suitable for

communication to the handheld computer (F1, E104, C7, L10-41. *See paragraph 11 for more details.*)

17.   As per claim 36, Kanevsky teaches the system of claim 35, wherein the first server is configured to retrieve the converted format and is configured to send the converted format to the handheld computer (F1, C7, L10-41. *See paragraph 11 for more details.*)

18.   As per claim 37, Kanevsky teaches the system of claim 31, wherein the first server is configured to communicate a link to the content, on the third server, to the second server (F1, C7, L10-41. *The first server serves as a conduit between the handheld device and all relevant servers on the network. See paragraph 11 for more details.*)

19.   As per claim 38, Kanevsky teaches the system of claim 37, wherein the second server is configured to retrieve the content from the third server (F1, E104, E105, E106, C7, L10-41. *The WPAS receives the originating content data from the content servers and converts the data into formats recognizable and displayable by the handheld device. See paragraph 11 for more details.*)

20.   As per claim 39, Kanevsky teaches the system of claim 38, wherein the second server is configured to convert the content to a converted format suitable for

communication to the handheld computer (F1, E104, E105, E106, C7, L10-41. *See paragraphs 11 and 19 for more details.*)

21.   As per claim 40, Kanevsky teaches the system of claim 39, wherein the first server is configured to retrieve the converted format and is configured to send the converted format to the handheld computer (F1, C7, L10-41. *See paragraph 11 for more details.*)

22.   As per claim 41, Kanevsky teaches a system configured for a handheld computer to access content, comprising: a handheld computer (F1, E113d, C4, L55 – C5, L19);

a wireless gateway (F1, C4, L55 – C5, L19. "Official Notice" is taken by examiner that *the wireless gateway is used to route data packets between the wireless communication network and the Internet is well known in the art. The gateway translates the different protocols used between the handheld device and other devices on connecting networks*);

a first server in communication with the wireless gateway (F1, E104, C4, L55 – C5, L19. *The first server, via the wireless gateway, receives requests from the handheld device and sends converted data back to the handheld device*);

a second server in communication with the first server (F1, E107, C4, L55 – C5, L4; *The second server houses the converting engine (Web Page Adapter Server – WPAS) and processes data originated from the content servers into formats that can be displayed by the handheld device*);

a third server in communication with the first server and with the second server and the third server being a source for content requested by the handheld computer (F1, E105, E106, E114, C4, L55 – C5, L4. *The handheld device sends requests and receives data originated from the content servers for display. All servers serve their particular functions on the network and are in communication with each other to provide subscribed services to the client*);

a server program running on the second server and the server program configured to format the content into a form for delivery to a handheld computer through the wireless gateway (F1, E107, C7, L10-41. *The WPAS processes and converts data originated from the content servers into formats that can be displayed by the handheld wireless device*); and

a handheld program running on the handheld computer and configured to receive the formatted content from the wireless gateway and provide access to the content by a user using the handheld computer (F1, E101, C4, L55-67. *The web browser software of the handheld device receives and displays converted content data from the WPAS for the user*.)

23.   Claim 42 is rejected on the same basis as claim 31 *(See P22 for more details.)*

24.   Claim 43 is rejected on the same basis as claim 32 *(See P22 for more details.)*

25.   Claim 44 is rejected on the same basis as claim 33 *(See P22 for more details.)*

26.   Claim 45 is rejected on the same basis as claim 34 *(See P22 for more details.)*

27.   Claim 46 is rejected on the same basis as claim 35 *(See P22 for more details.)*

28.   Claim 47 is rejected on the same basis as claim 36 *(See P22 for more details.)*

29.   Claim 48 is rejected on the same basis as claim 37 *(See P22 for more details.)*

30.   Claim 49 is rejected on the same basis as claim 38 *(See P22 for more details.)*

31.   Claim 50 is rejected on the same basis as claim 39 *(See P22 for more details.)*

32.   Claim 51 is rejected on the same basis as claim 40 *(See P22 for more details.)*

Conclusion

33.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Dynamically Provided Content Processor For Transcoded Data Types at Intermediate Stages of Transcoding Process – Dutta et al, 6,615,212

- Methods, Systems, and Computer Program Products For Providing Alternative Displays For Networked Devices – Angwin et al, 6,662,224

- System For Dynamic Determination Of Client Communications Capabilities – Bakshi et al, 6,311,215

- Automatic Data Quality Adjustment To Reduce Response Time In Browsing – Bhagwat et al, 6,563,517

- Method, Subscriber Device, Wireless Router, and Communication System Efficiently Utilizing the Receive/Transmit Switching Time – Jones et al, 6,490,256

- Displaying Optimun Screens On Various Types of Output Terminals Using a Common Application – Kurata et al, 6,642,941

- System and Method For Automatic, Real-Time Delivery of Personalized Information and Transactional Data To Users Via Content Delivery Device – Langseth et al, 6,741,980
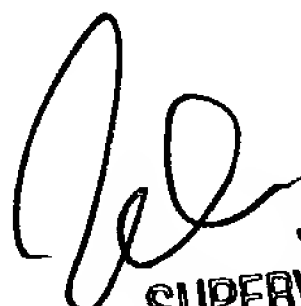
34.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jack P Nguyen whose telephone number is (703) 605-4299. The examiner can normally be reached on M-F 8:30-5:00 PM.

       If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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